

Mr. SPEAKER.—It will be introduced and copies distributed to the members.

Sri G. VENKATAI GOWDA (Palaiyam).—Supposing there is some objection for the very introduction of the Bill?

Mr. SPEAKER.—Even at the consideration stage objection can be raised. It is not a motion at all. It is only an introduction.

Sri M. C. NARASIMHAN (Kolar Gold Fields).—Supposing under rule 46, if it is a request made by the concerned member prior to the publication in the Gazette, etc., that is another matter. I can understand the Deputy Minister introducing. But after publication, we wish to raise objections

Mr. SPEAKER.—The question of raising objections does not arise now. The Hon'ble Member can raise it after introduction.

REPORT OF THE SPECIAL COMMITTEE ON THE RULES OF PROCEDURE AND CONDUCT OF BUSINESS IN THE ASSEMBLY.

Mr. SPEAKER.—Now the Report will be read rule by rule.

Sri M. C. NARASIMHAN (Kolar Gold Fields).—The other day, I wanted to say something about the motion moved by the Hon'ble Sri Kadidal Manjappa.

An HON'BLE MEMBER.—That stage is over.

Sri M. C. NARASIMHAN.—No, Sir. That is not over. The other day you promised that I could make my observations later. The other day when this motion was moved at the end of the day's proceedings by Sri Kadidal Manjappa, I got up to explain my point and the chair was pleased to say that I could make my observation later on, because I was feeling some difficulty.

2.30 P.M.

Mr. SPEAKER.—The Hon'ble Member's difficulty is about the last motion in the list. We have not yet

come to that stage. Rules have to be read rule by rule and adopted by the House. The last motion of passing the Rules will come up later and his objection will only arise at that time. He can raise that objection when that motion is taken up.

We will now take it up rule by rule. Motion moved :

“That rule 2 stand part of the Rules?”

There is an amendment. It may be moved.

Sri L. H. THIMMA BOVI (Deputy Speaker).—Sir, I beg to move :

“That in item (1) under the definitions “member in charge,” for the word “introduced” the words “laid on the Table” shall be substituted.”

Mr. SPEAKER.—Amendment moved :

“That in item (1) under the definitions “member in charge,” for the word “introduced” the words “laid on the Table” shall be substituted.”

Sri L. H. THIMMA BOVI.—Sir, this is a simple amendment. This corresponds to rule 105. Bills passed by the Legislative Council are not introduced in the Assembly, but are laid on the Table. This amendment makes this position clear.

Sri Kadidal MANJAPPA.—(Leader of the House and Minister for Revenue) — I have no objection to accept the amendment, Sir.

Mr. SPEAKER.—The question is :

“That in item (1) under the definitions “member in charge,” for the word “introduced” the words “laid on the Table” shall be substituted.”

The motion was adopted.

Mr. SPEAKER.—The question is :

“That rule 2 as amended stand part of the Rules.”

The motion was adopted.

Rule 2 as amended was added to the Rules.

Mr. SPEAKER.—Rules 3 to 27. There are no amendments. The question is:

“That rules 3 to 27 both inclusive stand part of the Rules.”

The motion was adopted.

Rules 3 to 27 both inclusive were added to the Rules.

Mr. SPEAKER.—Rule 28.

There is an amendment. It may be moved.

Sri J. B. MALLARADHYA (Nanjangud).—Sir, I beg to move:

“That for the existing rule, the following rule shall be substituted:

Allotment of time for private members' business.

The last two and a half hours of a sitting on Friday shall be allotted for the transaction of private members' business which originates in the House:

Provided that the Speaker may allot different Fridays for the disposal of different classes of such business and on Fridays so allotted for any particular class of business, business of that class shall have precedence:

Provided further that the Speaker may, in consultation with the Leader of the House, allot any day other than a Friday for the transaction of private members' business:

Provided further that if there is no sitting of the House on a Friday, the Speaker may direct that two and a half hours on any other day in the week may be allotted for private members' business.”

Mr. SPEAKER.—Amendment moved:

“That for the existing rule, the following rule shall be substituted:

Allotment of time for private members' business.

The last two and a half hours of a sitting on Friday shall be allotted for the transaction of private

members' business which originates in the House:

Provided that the Speaker may allot different Fridays for the disposal of different classes of such business and on Fridays so allotted for any particular class of business, business of that class shall have precedence:

Provided further that the Speaker may, in consultation with the Leader of the House, allot any day other than a Friday for the transaction of private members' business:

Provided further that if there is no sitting of the House on a Friday, the Speaker may direct that two and a half hours on any other day in the week may be allotted for private members' business.”

Sri J. B. MALLARADHYA.—Sir, I have copied this provision from the Lok Sabha practice. Under the existing arrangement, I am afraid that there is not sufficient scope for private members' business to be included in the programme of work of the Assembly. In view of this, I consider that it is very necessary that the House should be enabled to transact private member's business on definite days and that it should be incorporated in the Rules, instead of leaving it to the Speaker to decide as to what should be the relative priority of business. Every member will know what day is definitely allotted to this item, unless the Speaker rules that some other business may be taken. It is entirely with a view to give special prominence to non-official business that this amendment has been introduced.

Sri Kadidal MANJAPPA.—Sir, I have compared the proposed rule with the original rule. The rule proposed by us is more flexible than what is proposed by my Hon'ble friend Sri Mallaradhy. After all, the distinction between a private member's business and official or Government business is too technical or too nominal. There is not much difference between a private member's business and Government business. After all,

(SRI KADIDAL MANJAPPA)

we are transacting public business on the whole. Further Sir, it is better that if the present rule is adopted instead of the amendment, because....

ಶ್ರೀ ಎ. ಜಿ. ದೊಡ್ಡಮೇಟಿ (ರೋಣ) — ಈಗ ಕರೆಂಟ್ ಇಲ್ಲದೇ ಇರುವುದರಿಂದ ಅವರು ಹೇಳುತ್ತಿರುವುದು ನಮಗೆ ಏನೂ ಕೇಳಿಸುವುದಿಲ್ಲ. ಕಾರಣ ನೂಟ 3 ಘಂಟೆಗೆ ಕೊಡುವುದನ್ನು ಈಗಲೇ ಕೊಟ್ಟರೆ ಒಳ್ಳೆಯದು.

ಅಧ್ಯಕ್ಷರು. — ಇನ್ನೂ ಸ್ಪರ್ವಹೊತ್ತು ನೋಡೋಣ.

Sri Kadidal MANJAPPA.—Sri Mallaradhy suggests that the last 2½ hours on a Friday may be allotted for the private member's business. Incomplete work relating Government business will not be complete and the private member's business will also not be complete within the time that is proposed to be allotted, namely, 2½ hours. Therefore I would like to appeal to my Hon'ble friend to allow us to retain the existing rule rather than to adopt amendment.

Let us work the present rule. If there is any difficulty, we can at any time change it.

Mr. SPEAKER.—Are you going to withdraw your amendment Sri Mallaradhy?

Sri J. B. MALLARADHY.—I do not want to withdraw this amendment.

Mr. SPEAKER.—The question is:

"For the existing rule, the following rule shall be substituted:—

26. Allotment of time for private members' business.

The last two and hours of a sitting on Friday shall be allotted for the transaction of private members' business which originates in the House:

Provided that the Speaker may allot different Fridays for the disposal of different classes of such business and on Fridays so allotted for any particular class of business, business of that class shall have precedence:

Provided further that the Speaker may, in consultation with the Leader of the House, allot any day other than a Friday for the

transaction of private members' business:

I provided further that if there is no sitting of the House on a Friday, the Speaker may direct that two and a half hours on any other day in the week may be allotted for private members' business."

The amendment was negatived.

Mr. SPEAKER.—I will now put the rule. The question is:

"That rule 28 stand part of the Rules."

The motion was adopted.

Rule 28 was added to the Rules.

Mr. SPEAKER.—The question is:

"That rules 29, 30 and 31 stand part of the Rules."

The motion was adopted.

Rules 29, 30 and 31 were added to the Rules.

Mr. SPEAKER.—The House will now rise for Tea and meet half an hour later.

The House adjourned for Tea at Forty Minutes past Two of the Clock and re-assembled at Thirty five Minutes past Three of the Clock.

[Mr. SPEAKER in the Chair.]

Mr. SPEAKER.—Motion moved:

"That rules 32 to 49 stand part of the Rules."

Sri J. B. MALLARADHY.—There is a slight error. I suggested amendment to rules 32 to 48. I have also tabled another amendment. I propose that the rules 32 to 48 be deleted as they are and substituted upto rule 47 by the rules obtaining in the Lok Sabha. I have given details. In moving this amendment, my idea is that the members' privilege for asking questions has not been adequately appreciated by the Special Committee. In regard to this matter I consider that the practice obtaining in the Lok Sabha is much more satisfactory than what we have contemplated in our rules. If you will

see rule 32 of the Lok Sabha, there the member who sends a question will also specify the date on which the question should be placed on the table for answer. Whereas in our case though 15 days' time is given for the Government to furnish answers, the member will be completely kept in ignorance as to the exact date on which the question comes up. What happens is, supposing there are about 25 questions to be answered and for some reason the Government sends answers for one particular question in the end, it is neglected and there is no likelihood of its being taken up. I am afraid the members, privilege will go. If the Government find it inconvenient to answer such question it will go down the list. I have explained many a time that ministers will be absent and on such occasions, according to the present procedure, such questions have to be postponed. According to my amendment it is enough if the Ministers are present on specified days. I remember the Speaker was pleased to observe that it was difficult to get answers from the integrated areas within fifteen days. But, even according to the present rules 15 days, time is given. So, I do not understand why there should be any difficulty to accept my suggestion.

Mr. SPEAKER.—There is a proviso for that. The proviso gives a right to the Speaker to extend time in case the reply cannot be received within 15 days.

Sri J. B. MALLARADHYA.—My amendment does not conflict with the time allotted to the Government or the privilege of the Speaker to extend it. Supposing any member, wants answers on a particular day he will go to the Notice Office and find out what are the questions put down on that particular day and if he is sure that his question would be reached on that particular day, he will give notice of that question. By this, there would be greater opportunity of answering his questions.

Sub-section (2) of Section 37 of the Lok Sabha Rules reads:

“The order in which questions for oral answer are to be placed shall be indicated by the member giving notice and if no such order

is indicated, the questions shall be placed on the list of questions for oral answer, etc. . . ”

So, it is a practice which obtains in Lok Sabha. That is one important point which I want Government and the House to consider.

There is another matter which I brought to the notice of the Speaker in my preliminary remarks and that is about proviso to rule 46 of the Lok Sabha Rules. It reads:

“Provided that a question not reached for oral answer may be answered after the end of the Question Hour with the permission of the Speaker if the Minister represents to the Speaker that the question is one of special public interest to which he desires to give a reply.”

I do not know whether such a stage will ever be reached in this Assembly. I do not know why some of these nice provisos have not been copied. One is left with the impression that where members' privileges are likely to be more strengthened, the Special Committee has omitted such rules which are embodied in the Lok Sabha Rules. I would like the Hon'ble Minister to kindly accept this proviso to Rule 46.

In regard to short notice questions, I have proposed a specific amendment to rule 48. Existing Rule 48 reads:

“After the Speaker has admitted the question in the original or amended form, he shall advise the member to ascertain from the Minister in charge of the Department concerned whether he agrees to give an immediate reply to the question.”

My amendment is to the effect that the Speaker may direct that an enquiry be made from the Minister concerned instead of the member approaching the Minister and ascertaining from him whether he is prepared to give an immediate answer to the question. This is one of the notable omissions and I hope the Government will accept my amendment and incorporate it in the Rules.

Then, rule 54 (3) of the Lok Sabha Rules says:

(SRI J. B. MALLARADHYA)

"If the Minister is unable to answer the question at short notice and the Speaker is of opinion that the question is of sufficient public importance to be orally answered in the House, he may direct that the question be placed as the first question on the list of questions for the day on which it would be due for answer under rule 33."

If for any reason a short notice question cannot be answered, that question must get priority along with the ten other questions put down for answer for that particular day. I want the Hon'ble Minister to kindly accept this amendment and give the members a few more privileges contemplated in the Lok Sabha Rules, particularly in view of the fact that we have copied most of the provisions from the Lok Sabha Rules. I do not think anything is impracticable so far as Mysore conditions are concerned.

Sri Kadidal MANJAPPA.—Sir, the Special Committee went into the question in great detail. They examined the provisions contained in the Lok Sabha Rules. In the Lok Sabha members ask questions generally pertaining to policy matters and matters of national importance. Here, we receive questions pertaining to matters of local importance. For instance, a question is asked as to whether a well sanctioned in 1948 is completed and what is the estimated cost. That well is situated in Belgaum District.

Sri J. B. MALLARADHYA.—On a point of clarification, Sir. Nobody will put down such a question involving collection of statistics and so on for oral answer.

Sri Kadidal MANJAPPA.—Generally, even such questions are set down for oral answers. A few days ago I received a question pertaining to some appointments made in the year 1949 before the States Reorganisation took place. How can we answer those questions within a short period as envisaged in the Rules of Lok Sabha? It is impossible to answer such questions within a short period and therefore the provisions that

we have incorporated are quite sufficient to safeguard the interests of members. When we frame rules we do not take into account the situation prevailing today only. They are made for all time to come. Therefore, I would humbly suggest that we may work these rules for the present.

An HON'BLE MEMBER.—You are a party member.

Sri Kadidal MANJAPPA.—At that time I was not a Minister. My Hon'ble friend Sri Narasimhan was also a member of the Special Committee. He also considered these problems and he came to the conclusion that the provisions we have suggested were quite safe and were enough to safeguard the interests and privileges of members.

Sri C. J. MUCKANNAPPA (Gubbi).—Sri Narasimhan was a member with a feeble voice.

Sri Kadidal MANJAPPA.—Why do you plead for him? He is capable of advocating his cause.

With regard to rule 48, I have no objection to accept the amendment proposed by my learned friend Sri Mallaradhy. With regard to his other amendments, I would appeal to him to withdraw them. If there is need, we can introduce amendments at any time.

Mr. SPEAKER.—I would request the Hon'ble Member Sri Mallaradhy to amend his amendment in regard to the short notice question in the light of the discussion we had yesterday. Otherwise if the general amendment tabled by him is rejected, all the other amendments cannot be moved at all.

Sri J. B. MALLARADHYA.—Sir, I beg to withdraw all my amendments to rules 32 to 47.

Mr. SPEAKER.—The question is :

"That rules 32 to 39 stand part of the Rules."

The motion was adopted.

Rules 32 to 39 were added to the Rules.

Mr. SPEAKER.—Rules 40 and 41.

Sri L. H. THIMMA BOVI.—Sir, I beg to move :

'After the word "question" in line (1) of rule 40 the words "for oral answer" shall be added.'

Mr. SPEAKER.—Motion moved:

‘After the word “question” in line (1) of rule 40 the words “for oral answer” shall be added.’

Sri L. H. THIMMA BOVI.—Both the rules 40 and 41 apply only to starred questions to which only oral answers can be supplied. I am sure the amendment will be accepted.

Mr. SPEAKER.—The question is;

‘After the word “question” in line (1) of rule 40 the words “for oral answer” shall be added.’

The motion was adopted.

Mr. SPEAKER.—Rule 41. There is an amendment.

Sri L. H. THIMMA BOVI.—Sir, I move:

“That in sub-rule (1) after the word ‘questions’ the words ‘for oral answer’ shall be added”.

Mr. SPEAKER.—Amendment moved:

“That in sub-rule (1) after the word ‘questions’ the words ‘for oral answer’ shall be added.”

Sri Kadidal MANJAPPA.—I have no objection to accept the amendment.

Mr. SPEAKER.—The question is:

“That in sub-rule (1) after the word ‘questions’ the words ‘for oral answer’ shall be added.”

The motion was adopted.

Mr. SPEAKER.—The question is:

“That rules 40 and 41, as amended, stand part of the rules.”

The motion was adopted.

Rules 40 and 41, as amended, were added to the Rules.

Mr. SPEAKER.—Rules 42 to 47, both inclusive. The question is:

“That rules 42 to 47, both inclusive, stand part of the Rules.”

The motion was adopted.

Rules 42 to 47, both inclusive, were added to the Rules.

Mr. SPEAKER.—Rule 48. There is an amendment by Sri Mallaradhya.

Sri J. B. MALLARADHYA.—Sir, I move:

‘That for the proposed rule 48, the following rule shall be substituted:—

“48 (1) A member who desires an immediate reply to a question of urgent nature shall give notice of it to the Secretary and if the Speaker is of opinion that the question is of an urgent character he may direct that an enquiry may be made from the Minister concerned if he is in a position to reply and if so on what date.

(2) If the Minister concerned agrees to reply, such question shall be answered on a day to be indicated by him and shall be called immediately after questions which have appeared on the list of questions for oral answer have been disposed of.

(3) If the Minister is unable to answer the question at short notice and the Speaker is of opinion that the question is of sufficient public importance to be orally answered in the House he may admit it as a question for an oral answer notwithstanding that the member giving notice has already given notice of ten questions for oral answer and the provisions of these rules in relation to questions for oral answer will apply to such a question. Such a question shall be placed as the first question in the daily list of questions for oral answer in which it is included”.

Mr. SPEAKER.—Amendment moved:

‘That for the proposed rule 48, the following rule shall be substituted:—

48 (1) A member who desires an immediate reply to a question of urgent nature shall give notice of it to the Secretary and if the Speaker is of opinion that the question is of an urgent character he may direct that an enquiry may be made

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from the Minister concerned if he is in a position to reply and if so on what date.

(2) If the Minister concerned agrees to reply, such question shall be answered on a day to be indicated by him and shall be called immediately after questions which have appeared on the list of questions for oral answer have been disposed of.

(3) If the Minister is unable to answer the question at short notice and the Speaker is of opinion that the question is of sufficient public importance to be orally answered in the House he may admit it as a question for oral answer notwithstanding that the member giving notice has already given notice of ten questions for oral answer and the provisions of these rules in relation to questions for oral answer will apply to such a question. Such a question shall be placed as the first question in the daily list of questions for oral answer in which it is included."

Sri Kadidal MANJAPPA.—I have no objection to accept the amendment.

MR. SPEAKER.—The question is:

"That for the proposed rule 48, the following rule shall be substituted:—

"48 (1) A member who desires an immediate reply to a question of urgent nature shall give notice of it to the Secretary and if the Speaker is of opinion that the question is of an urgent character he may direct that an enquiry may be made from the Minister concerned if he is in a position to reply and if so on what date.

(2) If the Minister concerned agrees to reply such question shall be answered in a day to be indicated by him and shall be called immediately after questions which have appeared on the list of questions for oral answer have been disposed of.

(3) If the Minister is unable to answer the question at short notice

and the Speaker is of opinion that the question is of sufficient public importance to be orally answered in the House he may admit it as a question for oral answer notwithstanding that the member giving notice has already given notice of ten questions for oral answer and the provisions of these rules in relation to questions for oral answer will apply to such a question. Such a question shall be placed as the first question in the daily list of questions for oral answer in which it is included."

The motion was adopted.

MR. SPEAKER.—The question is:

"That rule 48, as amended, stand part of the Rules."

The motion was adopted.

Rule 48, as amended, was added to the Rules.

MR. SPEAKER.—Rules 49 and 50. The question is:

"That rules 49 and 50 stand part of the Rules."

The motion was adopted.

Rules 49 and 50 were added to the Rules.

MR. SPEAKER.—Rule 51. There is an amendment.

Sri J. B. MALLARADHYA.—Sir, I move:

"That for the existing rule, the following rule shall be substituted:

"Time for giving notice.—Notice of an adjournment motion shall be given to the Secretary two hours before the commencement of the sitting on the day on which the motion is proposed to be made."

MR. SPEAKER.—Amendment moved:

"That for the existing rule, the following rule shall be substituted:—

"Time for giving notice.—Notice of an adjournment motion shall be given to the Secretary two hours before the commencement of the sitting on the day on which the motion is proposed to be made."

Sri Kadidal MANJAPPA.—I have no objection to accept the amendment.

Mr. SPEAKER.—The question is :

‘That for the existing rule, the following rule shall be substituted:

“Time for giving notice.—Notice of an adjournment motion shall be given to the Secretary two hours before the commencement of the sitting on the day on which the motion is proposed to be made”.

The motion was adopted.

Mr. SPEAKER.—The question is :

“That rule 51, as amended, stand part of the Rules.”

The motion was adopted.

Rule 51, as amended, was added to the Rules.

Mr. SPEAKER.—Rules 52 and 53. The question is :

“That rules 52 and 53 stand part of the Rules.”

The motion was adopted.

Rules 52 and 53 were added to the Rules.

Mr. SPEAKER.—Rule 54. There is an amendment now given.

Sri A. V. NARASIMHA REDDY (Bangalore South).—It is not before the House.

Sri J. B. MALLARADHYA.—It is a simple amendment.

Mr. SPEAKER.—The amendment may be moved.

Sri G. VENKATAI GOWDA (Palaiyam).—Sir, I move :

‘That in the proviso to rule 54 the words “if he thinks it necessary” be deleted.’

Mr. SPEAKER.—Amendment moved:

‘That in the proviso to rule 54 the words “if he thinks it necessary” be deleted.’

Sri G. VENKATAI GOWDA.—My submission is that when the Speaker considers that an adjournment motion is not in order he communicates it to the member in which case it does not form part of the proceedings. Under

article 194 of the Constitution members of this House have got privileges and immunities and if the members who forward the adjournment motions are given a reply they do not form part of the proceedings and it may sometimes happen that they may contain defamatory matters. Since they do not form part of the proceedings the members will not be entitled to claim that privilege or immunity. In order to avoid that, I request that the phrase “If he thinks it necessary” may be deleted. Whether the adjournment motions are going to be admitted by the Speaker or not, they will then have to be read in the House so that they form part of the proceedings in which case the member concerned will have the privilege and immunity.

Sri J. B. MALLARADHYA.—I am glad that my friend Sri Venkatai Gowda has brought this amendment because otherwise it interferes with a very important privilege conferred by article 194 of the Constitution. If you will kindly see clauses (2) and (4) of the article. If this provision is taken away, they may not form part of the proceedings of the Legislature.

The immunity enjoyed by a particular member in respect of the very statement, if it savours of a defamatory character, is not here. If it forms part of the proceedings, it is a privilege under the Constitution. If the adjournment motion is not allowed, it does not form part of the proceedings of the House. Then it will interfere with the valuable privilege of the member.

4 P.M.

Mr. SPEAKER.—Suppose the Chair disallows a question. In what way is the adjournment motion different from a question so far as the admissibility is concerned?

Sri J. B. MALLARADHYA.—If you read Basu’s commentary, you will find that in a case where it does not form part of the proceedings, it is held that the member’s privilege is taken away.

*Sri M. C. NARASIMHAN.—With your permission, I will explain, Sir. Now you were pleased to ask the difference between a question and an

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adjournment motion. So far as it is a question, it may not be possible to make it sufficiently defamatory. But so far as an adjournment motion is concerned, the very drafting will be in such a manner that there is a possibility of bringing it within the ambit of contempt. There is that distinction between a question and an adjournment motion.

Mr. SPEAKER.—Even in the case of questions there may be some defamatory matter. You can so word it that it can contain the element of contempt.

Sri M. C. NARASIMHAN.—In the case of an adjournment motion, it is a particular right and privilege conferred on a member.

Mr. SPEAKER.—Both of them are privileges.

Sri M. C. NARASIMHAN.—I do admit. In the case of an adjournment motion one may not be able to use his words with so much of diligence and so much of care. Adjournment motions are taken up suddenly. It may be a matter of sudden occurrence and given notice of one or two hours early. Therefore some immunity is definitely enjoyable by the members. You might consider.....

Mr. SPEAKER.—I would like also to enlighten the Hon'ble Members that we have got these rules copied from Lok Sabha Rules.

Sri J. B. MALLARADHYA.—Sir, we might tell the Lok Sabha that we are ahead of it. Sir, I may not be misunderstood. Sub-section 4 of 194 of the Constitution is very clear :

“The provisions of clauses (1) (2) and (3) shall apply in relation to persons who by virtue of this Constitution have the right to speak in, and otherwise to take part in the proceedings of, a House of the Legislature of a State or any Committee thereof as they apply in relation to members of that Legislature.”

As my friend Sri Narasimhan said, there is a fundamental difference between sending a question for eliciting information and an adjournment

motion in which expression of an opinion is there. In a question you ask for information. There is no intention directly or indirectly to cause reflection. But in the case of an adjournment motion, the way in which it is worded savours of making a positive statement. You kindly see sub-clauses (2) and (4) of 194 of the Constitution. But in the Lok Sabha all the adjournment motions are not read.....

Mr. SPEAKER.—Yes, yes. We are following the Lok Sabha procedure. I will read rule 60 of the Lok Sabha Rules :

“The Speaker, if he gives consent under rule 56 and holds that the matter proposed to be discussed is in order, shall, after the questions and before the list of business is entered upon, call the member concerned who shall rise in his place and ask for leave to move the adjournment of the House :

Provided that where the Speaker has refused his consent under rule 56 or is of opinion that the matter proposed to be discussed is not in order, he may, if he thinks it necessary, read the notice of motion and state the reasons for refusing consent or holding the motion as not being in order.”

We have copied that phraseology.

Sri J. B. MALLARADHYA.—Is there any special difficulty in omitting these words ?

Mr. SPEAKER.—I will explain the difficulty. There are certain understandings, though not conventions, in this respect. Those understandings have been put in words. They have not been explained here. The first is, if the adjournment motion is on the face of it inadmissible, it is thrown out by the Speaker in his chambers. But in cases where he feels a sort of doubt and wants to hear the House, he comes to the House and reads the motion. In case where he is in a position to admit, he comes here and takes the sense of the House. These are the things that have been long since followed. That is why it is so worded.

AND CONDUCT OF BUSINESS IN THE ASSEMBLY

Sri G. VENKATAI GOWDA.—When a question is disallowed, it is done so in the House. When an adjournment motion is disallowed, it may be rejected in the House itself or the rejection may be communicated to the mover by a written letter. I submit, let that distinction not be there. If it is a written rejection, we are not entitled to immunity.

ಅಧ್ಯಕ್ಷರು.—ಸಾಮಾನ್ಯವಾಗಿ ನಿಲುವಳಿ ಸೂಚನೆಯನ್ನು ಛೇಂಬರಿನಲ್ಲಿ ಇತ್ಯರ್ಥಮಾಡಲಾಗುವುದು. ಅದಕ್ಕೆ ಅವಕಾಶ ಕೊಡಬಹುದೆಂದು ಕಂಡುಬಂದರೆ ಸಭೆಯಲ್ಲಿ ಸದಸ್ಯರ ವಿವರಣೆ ಕೇಳಿ ಅನಂತರ ಇತ್ಯರ್ಥಗೊಳಿಸಲಾಗುವುದು.

ಶ್ರೀ ಸಿ. ಜೆ. ಮುಕ್ಕನ್ನಪ್ಪ.—ಈ ಸಭೆಯಲ್ಲಿ ಇತ್ಯರ್ಥ ಮಾಡಿಬಿಡಿ.

ಅಧ್ಯಕ್ಷರು.—ಎಲ್ಲವನ್ನೂ ಹಾಗೆ ಮಾಡುವುದಿಲ್ಲ.

Sri C. J. MUCKANNAPPA.—In a Court of Law suppose there is an acquittal, judgment will be dictated in the open Court.

ಅಧ್ಯಕ್ಷರು.—ಜಡ್ಜ್‌ಮೆಂಟ್ ಛೇಂಬರಿನಲ್ಲಿ ಬೇಕಾದರೂ ಕೊಡಬಹುದು, ಕೋರ್ಟಿನಲ್ಲಾದರೂ ಕೊಡಬಹುದು, ಅಲ್ಲವೇ?

Sri C. J. MUCKANNAPPA.—I think the people will laugh. Judgment may be written in the Chambers, but it has to be pronounced in the open Court.

ಅಧ್ಯಕ್ಷರು.—ಹಾಗಲ್ಲ, ನೀವು ಪ್ರಾಕ್ಟೀಸ್ ಮಾಡಿರುವವರನ್ನು ಕೇಳಿ.

Sri G. VENKATAI GOWDA.—A judgment, even if it is pronounced in the chambers, it is a part of the proceedings. But here, if it is rejected in the Chambers and communicated by a letter, it does not form part of the proceedings. I submit that we are entitled to immunity.

Sri Kadidal MANJAPPA.—Sir, Article 194 of the Constitution guarantees certain privileges to the Members of the Legislature. The Hon'ble Members on the other side want to secure additional privileges not guaranteed to them by the Constitution. Sir, Article 194 reads like this:

“194 (1) Subject to the provisions of this Constitution and to the rules and standing Orders regulating the procedure of the Legislature, there shall be freedom

of speech in the Legislature of every State.

(2) No member of the Legislature of a State shall be liable to any Proceedings in any court in respect of anything said or any vote given by him in the Legislature or any committee thereof, and no person shall be so liable in respect of the publication by or under the authority of a House of such a Legislature of any report, paper, votes or proceedings.”

I must humbly submit that the adjournment motion which has been disallowed will not be published, because it cannot form part of the proceedings. Therefore, there is no question of proceeding against legislators in respect of publications made by or under the authority of the Legislature.

Next, I very much doubt whether any statement made in the adjournment motion will amount to a defamation. It is a point of law. I do not concede to my learned friend's argument that it amounts to defamation if it contains defamatory allegations or libellous statement.

Thirdly, the Speaker was pleased to say that we have incorporated the provisions which are to be found in the Lok Sabha Procedure. Therefore, I am not prepared to accept the amendment proposed.

Further, Sir, even if it is held by the court that the member is liable for the statement made in the adjournment motion, he has to face the consequence. If an adjournment motion is in order, it will be admitted and he will be protected by virtue of article 194. If it is not admitted and if the statement made by him amounts to defamation, then he must be prepared to face the consequences.

Sri J. B. MALLARADHYA.—I want a little clarification, Sir. This is a matter where the Speaker has to forego his privilege. But simultaneously, there is also the question of privilege of a member and the immunity he enjoys. Kindly think about it.

Mr. SPEAKER.—You are making a speech. I will now put the amendment to the House. The question is:

‘That in the proviso to rule 54, the words “if he thinks it necessary” may be deleted.’

The motion was negatived.

Mr. SPEAKER.—I will put the Rule now. The question is:

“That rule 54 do stand part of the Rules.”

The motion was adopted.

Rule 54 was added to the Rules.

Mr. SPEAKER.—Rules Nos. 55, 56, 57 and 58.

The question is:

“That rules Nos. 55, 56, 57 and 58 do stand part of the Rules.”

The motion was adopted.

Rules Nos. 55, 56, 57 and 58 were added to the Rules.

Mr. SPEAKER.—Rules Nos. 59 to 152. The question is:

“That rules Nos. 59 to 152 do stand part of the Rules.”

The motion was adopted.

Rules 59 to 152 were added to the Rules.

Mr. SPEAKER.—Rule 153. There is an amendment.

Sri J. B. MALLARADHYA.—Sir, sub-rule (2) of rule 153 reads:

“(2) If the Speaker is of opinion that the motion is in order, he shall read the motion to the Assembly and shall request those members who are in favour of leave being granted to rise in their places and if not less than thirty members rise accordingly, the Speaker shall intimate that leave is granted and that the motion will be taken up the next day, or within three days thereafter as the Speaker decides. If less than thirty members rise, the Speaker shall inform the member that he has not the leave of Assembly.”

I want the rule to be amended by substituting the word ‘twenty’ for the word ‘thirty’. Sir, I move:

‘That in sub-rule (2) for the word “Thirty” the word “Twenty” shall be substituted.’

Mr. SPEAKER.—Amendment moved:

‘That in sub-rule (2) for the word “Thirty” the word “Twenty” shall be substituted.’

*ಶ್ರೀ ಸಿ. ಜಿ. ಮುಕ್ಕಣ್ಣಪ್ಪ (ಗುಬ್ಬಿ).—ಸ್ವಾಮಿ, ಈ ತಿದ್ದುಪಡಿಯನ್ನು ನಾನು ಅನುಮೋದಿಸುತ್ತೇನೆ. ಈ ರೀತಿ ತಿದ್ದುಪಡಿಯಾಗಬೇಕಾದುದು ಅಗತ್ಯವೆಂದು ಈಗಾಗಲೇ ನಾನು ಅರಿಕೆಮಾಡಿಕೊಂಡಿದ್ದೇನೆ. ಪ್ರಜಾಪ್ರಭುತ್ವವನ್ನು ಬೆಳೆಸುವುದಕ್ಕೆ ಇದು ಲಕ್ಷಣವಲ್ಲ. ಎರೋಧಪಕ್ಷವು ಮೈನಾರಿಟಿಯಲ್ಲಿದ್ದರೆ ಅದಕ್ಕೆ ಸ್ವಲ್ಪ ಸೆಟ್ಟಿನ ಪ್ರಾಮುಖ್ಯತೆ ಇರಬೇಕು. 30 ಜನ ಸದಸ್ಯರ ಬೆಂಬಲವಿರಬೇಕೆಂದು ಹೇಗೆ ಮಾಡಿದ್ದಾರೆ? ಇದು ಯಾವ ಗಣಿತ? ಯಾವ ಶಾಸ್ತ್ರ? ಯಾವ ಅಧಾರದ ಮೇಲೆ ಒಬ್ಬನಿಗೆ ಮಾಡಿದ್ದಾರೆ? ಕಾಂಗ್ರೆಸ್ ಪಕ್ಷಕ್ಕೆ Brutal Majority ಇದೆ, ಏನಾದರೂ ಮಾಡುತ್ತೇವೆ ಎಂದು ನಮ್ಮ ಮೇಲೆ ಹೊರಿಸಬಾರದು. ಹೀಗೆ ಅದರ ಪ್ರಜಾಪ್ರಭುತ್ವದಲ್ಲಿ ಸುಭದ್ರವಾದ ರಾಜ್ಯ ಕಟ್ಟುವುದಕ್ಕೆ ಸಾಧ್ಯವಿಲ್ಲ. ಈ ಸಭೆಯ ಕಾರ್ಯ ಕಲಾಪಗಳನ್ನು ಎಲ್ಲರೂ ಒಂದುಗೂಡಿ ಮಾಡಬೇಕು. ಮಂತ್ರಿಮಂಡಳವು ತನ್ನ ವ್ಯವಹಾರದಲ್ಲಿ ಏನಾದರೂ ಹೆಚ್ಚು ಕಡಮೆ ಮಾಡಿದರೆ ಅದರಮೇಲೆ ಹತೋಟಿ ಇಟ್ಟುಕೊಳ್ಳುವುದಕ್ಕೆ, ಸರ್ಕಾರ ಅದಕ್ಕೆ ಹೇಗೆ ನಡೆಸುತ್ತಿದೆ ಎಂಬುದನ್ನು ದೇಶದ ಮುಂದೆ ತೋರಿಸುವುದಕ್ಕೆ ಈ ತಿದ್ದುಪಡಿ ಅಗತ್ಯವಾಗಿದೆ. ಅದಕ್ಕೆ ಮೇಲೆ ಚೆಕ್, ಕಂಟ್ರೋಲ್ ಇರಬೇಕು. ಅವರ ಅಧಿಕಾರವನ್ನು ಮೊಟಕುಮಾಡುವ ಉದ್ದೇಶವಿಲ್ಲ. ದಗಡಿಭಿಕ್ಷೆ ಕೊಡುತ್ತೇವೆಂದರೆ ನನಗೆ ಅರ್ಥವಾಗುವುದಿಲ್ಲ.

ಶ್ರೀ ಟಿ. ಡಿ. ಮಾರಣ್ಣ (ಮಾಗಡಿ).—ಮಾನ್ಯ ಸದಸ್ಯರು ಈ ತಿದ್ದುಪಡಿಯನ್ನು ಅನುಮೋದಿಸುತ್ತಿದ್ದಾರೆಯೋ ಅಥವಾ ಕರಿಬಂಟನ ನಾಟಕವಾದುತ್ತಿದ್ದಾರೆಯೋ?

Sri G. N. PUTTANNA (Tumkur).—I rise to a point of order. When an Hon'ble Member is speaking not only on his behalf, but on behalf of the House. . .

Mr. SPEAKER.—No, not on behalf of the House. You may say, ‘on behalf of the Opposition’.

Sri G. N. PUTTANNA.—On behalf of the Opposition, my learned friend Sri Maranna repeatedly makes remarks. Whether it is right or wrong or whether he is entitled to say *Karibantan Nataka* is correct.

Sri H. K. VEERANNA GOWDH (Maddur).—May I ask Sri Muckannappa whether it is *Brutal Majority* or whether it is *Brute Majority*?

Sri G. N. PUTTANNA.—My point of order is not answered. No ruling is given.

Mr. SPEAKER.—There is no point of order. ಇದೇನೂ ಪಾಯಿಂಟ್ ಆಫ್ ಆರ್ಡರ್ ಅಲ್ಲ. ಈ ರೀತಿ interruptions ಆಗುತ್ತಾ ಇರುತ್ತವೆ. ಯಾವ sense ನಲ್ಲಿ ಹೇಳುತ್ತಾರೆಯೋ ಅದರ humour enjoy ಮಾಡಬೇಕು.

ಶ್ರೀ ಸಿ. ಜಿ. ಮುಕ್ಕಣ್ಣಪ್ಪ.—ಅದು brutal ಅಲ್ಲ; ಅದು brute majority ಎಂದು ಹೇಳಬೇಕಾಗಿತ್ತು. Slip of the tongue ನಿಂದ ಹಾಗೆ ಹೇಳಿದೆ. ನಾನು ಹೇಳಿದ ರೀತಿಯಲ್ಲಿ ಶ್ರೀ ಮಾರ್ಕಾಂಡೇಯ ತೆಗೆದುಕೊಳ್ಳಲು ತಯಾರಲ್ಲ. ಅವರಿಗೆ ಮಾತನಾಡುವ ಚಟ ಬಹಳ ಇದೆ. ಅವರು ಹಾಗೆ ಮಾತನಾಡಬಹುದು. ಏಕೆ ಹೇಳುತ್ತೇನೆ ಎಂದರೆ ರೋಕ ಸಭೆಯ ಕೆಲಸಕಾರ್ಯಗಳು ಎಷ್ಟರಮಟ್ಟಿಗೆ ನಡೆಯುತ್ತವೆ ಎಂಬುದನ್ನು ನೋಡಿಕೊಂಡು ಅಲ್ಲಿನ ರೂಲ್ಸ್‌ನೇ ಇಲ್ಲೂ ಅನ್ವಯಮಾಡಿಕೊಳ್ಳಬೇಕೆಂದು ಹೇಳುವಾಗ ಅಲ್ಲಿ 500 ಜನ ಸದಸ್ಯರು ಇದ್ದಾರೆ. ಅಲ್ಲಿ ಯಾವ ಅಥವಾ ದಮೇಲೆ 1/10 ಭಾಗ ಎಂದು ಇಟ್ಟಿದ್ದಾರೆ! ನೀವು ಲೆಕ್ಕಾಚಾರ ಹಾಕಿ. 208 ಜನ ಸಭೆಯಲ್ಲಿ 1/10 ಭಾಗ ಅಥವಾ 1/5 ಭಾಗ ಅಥವಾ 1/3 ಭಾಗ ಎನ್ನುವುದನ್ನು ಬಿಟ್ಟು 30 ಜನ ಎನ್ನುವುದನ್ನು ಯಾವ ಅಧಿಕಾರವೇ ಇಟ್ಟಿತ್ತು? ಅಪೊಸ್ತಲ ಮಾತನಾಡುವಾಗ, ನಿಮ್ಮಲ್ಲಿ ಸಂಖ್ಯೆಯ ಬಲ ಇದೆ ಎಂದು ಹೇಳಿದಾಗ, 'ಈ ಸಭೆಯ ಕಾರ್ಯಕಾರಾಚ ನಡೆಯುವುದು ಎಲ್ಲರಿಗೂ, ಈ ಕಮಿಟಿ ಈ ಸಭೆಯವರು ಆರಿಸಿದ್ದು, ಬಹಳ ತೂಕಹಾಕಿ ದೀರ್ಘವಾಗಿ ಆಲೋಚನೆ ಮಾಡಿ ಇದನ್ನೆಲ್ಲಾ ತಯಾರುಮಾಡಿದ್ದಾರೆ ಎಂದು ಅಗತ್ಯವು ಹೇಳಿದರು. ಒಪ್ಪಿಕೊಳ್ಳುತ್ತೇನೆ. ಎಂದ ಮೇಲೆ ಈ ಹಾಕಿನಲ್ಲಿ ಇಂಥ ಒಂದು ಬಡಕು ತಪ್ಪು ಏಕೆ? ಕಡಮೆ ಜಾಸ್ತಿ ಎಂದು ಹೇಳುತ್ತಿರುವಾಗ ಇದನ್ನು ಏಕೆ ಪಾರ್ಲೋಚನೆ ಮಾಡಬಾರದು? ವಿರೋಧ ಪಕ್ಷದವರ ಮಾತಿನಲ್ಲಿ ಅರ್ಥವಿದೆ ಎಂದು ಏಕೆ ತಿಳಿದು ಕೊಳ್ಳಬಾರದು?

(Interruption by Sri Narasimha Reddy)

ನಾಸಿಂಹರೆಡ್ಡಿ ಅವರು ಈ ಕತೆ ಬಂದರೆ, ನನಗೆ ಗೊತ್ತು, ನನಗಿಂತ ಹೆಚ್ಚಾಗಿ ಕೂಗುತ್ತಾರೆ. ಅವರಲ್ಲಿ ಏನು ದಿಂದ ಪ್ರಾರ್ಥನೆ ಮಾಡಿಕೊಳ್ಳುತ್ತೇನೆ, ಸ್ವಾಮಿ ನರಸಿಂಹರೆಡ್ಡಿ ಯವರೇ, ಈ ಸಭೆಯ ಕಾರ್ಯಕಾರಾಚ ನಡೆಯುವಾಗ ಎಷ್ಟುಮಟ್ಟಿಗೆ ನಡೆಯಬೇಕೋ ಅಷ್ಟು ಮಟ್ಟಿಗೆ ನಡೆಯುವುದಕ್ಕೆ ಎಲ್ಲರೂ ಸಮನ್ವಯವಾಗಬೇಕು. ನೋಡಿ! ಅಲ್ಲಿರತಕ್ಕ ಬ್ಯಾರಿಸ್ಟರ್ ಏನಿದೆ, ಅದರ ಕೆಳಗೆ ಕುಳಿತುಕೊಂಡು ತೂಕ ಹಾಕುತ್ತೇವೆ. ಹಾಗಿರುವಾಗ ಇಲ್ಲಿ ಮಾತ್ರ ಹೆಚ್ಚು ಕತೆ ಮಾಡುತ್ತಾ ಇದ್ದೀರಿ. ನೋಡಿ ನಿಮ್ಮ ತಲೆಯ ಮೇಲೆ ಇದೆ 'ತೂಕದ ತಕಡಿ.' ಈ ಸಭೆಯಲ್ಲಿರತಕ್ಕ ಪ್ರತಿಯೊಬ್ಬ ಸದಸ್ಯನನ್ನೂ ಕೂಡ ಒಂದೇ ಸಮನಾಗಿ ನೋಡುತ್ತೇನೆ, ಅಪೊಸ್ತಲ ಮತ್ತು ರೂಲಿಂಗ್ ಪರ್ಟ ಎರಡನ್ನೂ ಒಂದೇ ಸಮನಾಗಿ ನೋಡುತ್ತೇನೆ ಎಂದು ಹೇಳುವಾಗ 20 ಜನ ಸಾಕು ಎಂದರೆ ಬೇಡ ಎಂದು ಏಕೆ ಹೇಳುತ್ತೀರೋ ಅರ್ಥವಾಗುವುದಿಲ್ಲ. ಏಕೆಂದರೆ, ಇದು ಹೀಗೆಯೇ ಇರುವುದಿಲ್ಲ. ಆತ್ಮಿಗೆ ಒಂದು ಕಾಲ, ಸೊಸೆಗೆ ಒಂದು ಕಾಲ ಅಂದ ಹಾಗೆ ಕಾಲ ಬರುತ್ತದೆ. ನಿಮ್ಮ ಮುಖಂಡರು ಹಿಂದೂಸ್ಥಾನದ ಏಕೈಕ ನಾಯಕರಾದಂಥ ಪಂಡಿತ ನೆಹರೂ ಅವರು ಹೇಳುವುದನ್ನು ಹೇಳುತ್ತೀರಿ. ರೋಕ ಸಭೆಯ ರೂಲ್ ಅನ್ವಯಮಾಡಬೇಕೆಂದು ಹೇಳುತ್ತೀರಿ. ಆ ಸಭೆಯ ಸ್ಪೀಕರ್ ಅವರೂ, ಪಂಡಿತ

ನೆಹರೂ ಅವರೂ ಏನು ಹೇಳುತ್ತಾರೆ! ಅಪೊಸ್ತಲ ಬೆಳೆಯಲೇಕು, ಹೆಬ್ರೆ ಕಾಂಪೆಟೆಷನ್ ಇರಬೇಕು, ಅದು ಇಲ್ಲದೇ ಇದ್ದರೆ ಪ್ರಜಾಪ್ರಭುತ್ವ ಕೆಲಸಮಾಡುವುದಿಲ್ಲ ಎಂದು ಹೇಳುತ್ತಾರೆ. ನೀವು ನಾಳೆ ಬೆಳಿಗ್ಗೆ ಮಾಡಬಾರದ ಕೆಲಸಮಾಡಿ 30 ಜನ ಇಲ್ಲದೇ ಹೋದರೆ ನಾವು ಏನು ಮಾಡಬೇಕು ಎಂದು ಹೇಳುತ್ತೇನೆ. ಹಾಗಾದರೆ ನಿಮ್ಮ ಮೇಲೆ ಏನೂ ಮಾಡುವುದಕ್ಕೆ ಅವಕಾಶವೇ ಇಲ್ಲವೇ! ಅದಕ್ಕೇ ಈ ರೂಲ್ ಬೇಡ ಎಂದು ಮೊದಲನೆಯ ದಿವಸವೇ ಹೇಳಿದೆ. ಏಕೆಂದರೆ ಈಗ ನಿಮ್ಮಲ್ಲಿ ಕಚ್ಚಾಟ ನಡೆಯುತ್ತಿದೆ. ಹತ್ತು ಜನ ಇದ್ದರೂ ಕೂಡ 'No confidence motion' ತರುವುದಕ್ಕೆ ಅವಕಾಶವಿಲ್ಲ. ಜನರಲ್ ಎಲೆಕ್ಷನ್ ಅವಮೇಲೆ ಯಾವುದೇ ಒಂದು ಸರ್ಕಾರ ಅಧಿಕಾರಕ್ಕೆ ಬಂದು ಅದರಲ್ಲಿ ಅಂಥ ಭಾರಿ ಲೇಪದೋಷ ಇಲ್ಲದೇ ಇದ್ದರೆ ಐದವರ್ಷ ಕಾಲ ಇರಬೇಕು, ಆ ಐದವರ್ಷ ಕಾಲದಲ್ಲಿ ಏನಾದರೂ ಕೆಲಸಮಾಡುವುದಕ್ಕೆ ಅವಕಾಶವಿರತದೆ ಎಂಬುದಿಲ್ಲವೆಂದು ಇದು ಬೇಡ ಎಂದು ಹೇಳಿದವು. ನಾವಾದರೂ ಕೇಳುತ್ತೇನೆ ನಿಮ್ಮ ಹೃದಯದಲ್ಲಿ ಪಂಜು ಹಚ್ಚಿಕೊಂಡು ಹುಡುಕಿಕೊಳ್ಳಿ. ನಿಮ್ಮಲ್ಲಿ ಸಮರಸ ಭಾವನೆ ಇಲ್ಲ. ಅದಕ್ಕೇ ಬಹಳ ಏನೆಯಿಂದ ಪ್ರಾರ್ಥನೆ ಮಾಡುತ್ತೇನೆ. ನಾವೆಲ್ಲಾ ಒಂದೇ ಎಂದು ಮಾನ್ಯ ರೆವಿನ್ಯೂ ಮಿನಿಸ್ಟರು ಹೇಳಿದರು. ಆದರೆ ಈ ವಿಷಯ ಒಪ್ಪಿಕೊಳ್ಳಬೇಕಾದರೆ ಮಾತ್ರ ನೀವು ಬೇರೆ, ನಾವು ಬೇರೆ ಎಂದು ಹೇಳುತ್ತಾರೆ. ಇದು ಬೇಡ. ಯಾವಾಗ ಬೇಕಾದರೂ ತಿದ್ದುಪಡಿ ಮಾಡಬಹುದು ಎನ್ನುವ ವ್ಯಾಮೋಹ ಹೋಗಲಿ. ಶಕ್ತಿ ಇದೆ, ಬದಲಾವಣೆ ಮಾಡುತ್ತೇನೆ ಎನ್ನುವ ವ್ಯಾಮೋಹ ಬಿಟ್ಟು ರೂಲ್ ಮಾಡುವಾಗ ಜಾಗರೂಕತೆಯಿಂದ ಮಾಡಬೇಕು. 1/10 ಭಾಗ ಎಂದು ಒಪ್ಪಿಕೊಳ್ಳಿ. ಅಥವಾ 1/5 ಭಾಗ, 1/6 ಭಾಗ ಎಂದು ಒಪ್ಪಿಕೊಳ್ಳಿ. 30 ಎನ್ನುವ ಸಂಖ್ಯೆಯಲ್ಲಿ ಅರ್ಥವಿಲ್ಲ. ನೀವೆಲ್ಲರೂ ಬಹಳ ತ್ಯಾಗಮಾಡಿದ ಜನ, ಸುಭದ್ರವಾದ ರಾಜ್ಯ ಇರಬೇಕೆನ್ನುವ ಜನ. ಅದಕ್ಕೇ ಈ ತಿದ್ದುಪಡಿಯನ್ನು ಒಪ್ಪಿ, ನೀವು ಬಹಳ ದುಡಿದ ಜನ. ಅಧಿಕಾರ ಪಕ್ಷದಲ್ಲಿರತಕ್ಕ ಜನ. ದೇಶದಲ್ಲಿ ಒಂದು ಒಳ್ಳೆಯ ರಾಜ್ಯ ಕೆಳ ಬೇಕೆಂದು ನೀವು ತಪ್ಪು ಮಾಡಿದರೆ ನಿಮಗೆ ಕಾಣುವುದಿಲ್ಲ. ಅಂಗೆಹುಣ್ಣಿಗೆ ಕನ್ನಡಿ ಬೇಕಾಗಿಲ್ಲ. ಬೆನ್ನು ಹಣೆ ಎದರೆ ಯಾರಾದರೂ ಹೇಳಬೇಕು. ಅದಕ್ಕೇ ನೀವು ಮಾಡತಕ್ಕ ಅಧಿಕಾರ ಸರಿಯಾಗಿಲ್ಲ ಎಂದು ಹೇಳುವ ವಿರೋಧ ಗುಂಪಿನವರಿಗೆ ಹೆಚ್ಚು ಸ್ಪಷ್ಟವೇ ಇರಬೇಕು. ಅದು ಇಲ್ಲದೇ ಇದ್ದರೆ ನೀವು ಹೇಳುವೆಲ್ಲಾ ಕಾಗದದ ಮೇಲೆ ಬರೆದ ಶಾಸನ; ಕಾಗದದ ಕಡುರೆಯಾಗಿ ಗಾಳಿ ಬಂದಾಗ ಹಾಕುತ್ತದೆ. ಮತ್ತೊಮ್ಮೆ ಏನೆಯಿಂದ ಪ್ರಾರ್ಥನೆ ಮಾಡುತ್ತೇನೆ. ಅಧಿಕಾರ ಬೊಂಬಾಯಿನಲ್ಲಿ ಉಪಾಧ್ಯಕ್ಷರಾಗಿದ್ದವರು. ಅವರಿಗೆ ಪಾರ್ಲಿಮೆಂಟರಿ ಕಾರ್ಯಕರಾಚಗಳಲ್ಲಿ ಹೆಚ್ಚಿನ ಅನುಭವ ಇದೆ. ಅಲ್ಲದೆ ಈ ಸಭೆಯ ಕಾರ್ಯಕರಾಚಗಳನ್ನು ಹೇಗೆ ನಡೆಸಬೇಕೆಂಬುದನ್ನು ಕರತರಾಮಲಕವಾಗಿ ತಿಳಿದುಕೊಂಡಿದ್ದಾರೆ. ಅವರಾದರೂ ಯೋಚನೆ ಮಾಡಿ ಈ 30 ಅನ್ವತಕ ಸಂಖ್ಯೆಯನ್ನು 20ಕ್ಕೆ ಇಳಿಸಲು ಮನಸ್ಸು ಮಾಡುತ್ತಾರೆ, ಹಾಗೆಮಾಡಿ ಪ್ರಜಾಪ್ರಭುತ್ವ ನಡೆಯುವುದಕ್ಕೆ ನಿರೂಪಕರಾಗುತ್ತಾರೆ, ಇನ್ನು ಸ್ವಲ್ಪಕಾಲ ಈ ರಾಜ್ಯ ಭಾರ ಮಾಡಲು ಅವರಿಗೆ ಅವಕಾಶ ಮಾಡಿಕೊಡಲು ಈ ಅಮೆಂಡ್‌ಮೆಂಟನ್ನು ಒಪ್ಪಿಕೊಳ್ಳುವಂತೆ ಮಾಡುತ್ತಾರೆ ಎಂದು ಅವರಲ್ಲಿ ಮತ್ತೊಮ್ಮೆ ಪ್ರಾರ್ಥನೆಮಾಡಿ ಮಂಜಪ್ಪನವರು ತಪ್ಪುನೆ ಎದ್ದು ಒಪ್ಪಿಕೊಳ್ಳಲು

(ಶ್ರೀ ಸಿ. ಜಿ. ಮುಕ್ಕಣ್ಣಪ್ಪ)

ಸಾಧ್ಯವಿಲ್ಲ ಎಂದು ಹೇಳಬಾರದು ಎಂದು ಹೇಳಿ ಮುಗಿಸುತ್ತೇನೆ.

Sri Kadidal MANJAPPA.—Mr. Speaker, this question was examined in very great detail by the Special Committee. I want to repeat that this motion before the House is not placed on behalf of Government but it has been placed on behalf of the Special Committee. The Special Committee consisted of not only legislators representing the Congress party but also legislators representing the Opposition. The Special Committee consisted of:

Sriyuts—
S. R. Kanthi,
B. D. Jatti
G. Anna Rao
A. Bheemappa Naik
K. Hanumanthaiya
Kadidal Manjappa
K. Kenchappa
H. V. Koujalgi
M. C. Narasimhan
N. Rachiah
H. S. Rudrappa
J. H. Shamsuddin
S. Sharangowda
V. Srinivasa Shetty
T. Subramanya
J. Vaikunta Baliga
Y. Veerappa
Smt. K. S. Nagarathnamma.
4-30 P.M.

My friend Sri Muckannappa referred to brute majority. He must remember that this is a unanimous Report of the Special Committee and there was no coercion on the part of Congress party so far as Opposition members are concerned. They have willingly signed the Report. I want to bring to the notice of the members of the Opposition that in the previous Rules Committee, the number proposed was 40. So, the Special Committee has considered all aspects and came to the conclusion that it was necessary to reduce the number to 30. Members like Sri Narasimhan and V. Srinivasa Shetty did not sign the Report blindly. The Leader of the Opposition is a party to the Report. My Hon'ble friend Sri Narasimhan is a party to the Report.

The Hon'ble Member Sri Sreenivasa Shetty is a party to the Report. Sri Y. Veerappa, who is the Secretary of the P.S.P. Legislature Party, is also a party to this Report. In spite of this, my Hon'ble friends say that they have been coerced. I do not understand the mentality behind the allegation that it was signed by brute force. So far as the minimum number required for raising a No-confidence motion against the Ministry is concerned, there is no fixed proportion laid down by any article of the Constitution. The number varies from State to State. I believe in Kerala the number fixed is 25 for a House of 126. In Andhra the number is one-fifth of the strength of the House. The Special Committee consisting of eminent legislators with plenty of experience after considering the whole matter came to the conclusion that 30 was sufficient so far as this House was concerned. What I want to submit is that the number 20 is too small. A small group should not be in a position to create annoyance at least in a House consisting of 208 members. At least 30 members should rise in their seats if leave is to be granted by the House for the discussion of a No-confidence motion against a Ministry. In these circumstances, the proposed number is quite reasonable. As I have said before, it is not a motion on behalf of the Government but one on behalf of the Special Committee. The Special Committee considered all the aspects. I would therefore appeal to Hon'ble Members to accept the number.

(Sri M. Narayana wanted to make a statement which the chair did not allow. As a protest, the members of the Opposition belonging to the Praja Socialist Party in the Legislature withdrew from the House.)

Sri Kadidal MANJAPPA.—Sir, we are not making this rule in the light of the position of the parties that exist today. It is a rule which will prevail till it is amended. We have not taken into account the fact that the Congress Party is in a majority just at present. After all, whichever party is in a majority, the Ministry should have some peace of mind.

Mr. SPEAKER.—The question is:

‘In sub-rule () for the word “Thirty”, the word “Twenty” shall be substituted.’

The motion was negatived.

Mr. SPEAKER.—The question is:

“That rule 153 stand part of the Rules”.

The motion was adopted.

Rule 153 was added to the Rule.

Mr. SPEAKER.—The questions is:

“That rules 154 and 155 stand part of the Rules”.

The motion was adopted.

Rules 154 and 155 were added to the Rules.

Mr. SPEAKER.—The question is:

“That rules 156 to 187 stand part of the Rules”.

The motion was adopted.

Rules 156 to 187 were added to the Rules.

Mr. SPEAKER.—Rule 188.

Sri L. H. THIMMA BOVI—Sir, I beg to move:

‘After sub-rule (4) the following sub-rule shall be added:

“(5) if a member who has been granted leave of absence under these rules attends the session of the Assembly during the period for which the leave of absence has been granted to him, the unexpired portion of the leave from the date of his resumed attendance shall lapse.”

Mr. SPEAKER.—Motion moved:

‘After sub-rule (4) the following sub-rule shall be added:

“(5) if a member who has been granted leave of absence under these rules attends the session of the Assembly during the period for which the leave of absence has been granted to him, the unexpired portion of the leave from the date of his resumed attendance shall lapse.”

Sri L. H. THIMMA BOVI.—Thus sub-rule makes it clear that where a

member who has obtained leave attends the Assembly during the period of leave, the unexpired portion of the leave should be treated as lapsed.

Sri Kadidal MANJAPPA.—I have no objection to accept it.

Mr. SPEAKER.—The question is:

‘After sub-rule (4) the following sub-rule shall be added:

“(5) if a member who has been granted leave of absence under these rules attends the session of the Assembly during the period for which the leave of absence has been granted to him, the unexpired portion of the leave from the date of his resumed attendance shall lapse.”

The motion was adopted.

Mr. SPEAKER.—The question is:

“That rule 188, as amended, stand part of the Rules.”

The motion was adopted.

Rule 188, as amended, was added to the Rules.

Mr. SPEAKER.—The question is:

“That Rules 189 to 191 stand part of the Rules.”

The motion was adopted.

Rules 189 to 191 were added to the Rules.

Mr. SPEAKER.—Rule 192.

Sri L. H. THIMMA BOVI—Sir, I beg to move:

‘After the words “Assembly Committees” in line 4 the words “or Committees of both Houses of Legislature” shall be added.’

Mr. SPEAKER.—Motion moved:

‘After the words “Assembly Committees” in line 4 the words “or Committees of both Houses of Legislature” shall be added.’

Sri L. H. THIMMA BOVI.—Sir, there are certain committees which are common to both the Assembly and the Council. It is necessary that the general rules should apply to those committees. Hence this amendment.

Sri Kadidal MANJAPPA.—I have no objection to accept it.

Mr. SPEAKER.—The question is :

‘After the words “Assembly Committees” in line 4, the words “or Committees of both Houses of Legislature” shall be added.’

The motion was adopted.

Mr. SPEAKER.—The question is :

‘That rule 192, as amended, stand part of the Rules.’

The motion was adopted.

Rule 192, as amended, was added to the Rules.

Mr. SPEAKER.—The question is :

‘That Rules 193 to 223 stand part of the Rules.’

The motion was adopted.

Rules 193 to 223 were added to the Rules.

Mr. SPEAKER.—Rule 224. There is an amendment.

Sri L. H. THIMMA BOVI.—Sir, I move :

‘That in sub-rule (2) for the word “later” the word “earlier” shall be substituted.’

Mr. SPEAKER.—Amendment moved :

‘That in sub-rule (2) for the word “later” the word “earlier” shall be substituted.’

Sri Kadidal MANJAPPA.—I have no objection to accept the amendment.

Mr. SPEAKER.—The question is :

‘That in sub-rule (2) for the word “later” the word “earlier” shall be substituted.’

The motion was adopted.

Mr. SPEAKER.—The question is :

‘That rule 224, as amended, stand part of the Rules.’

The motion was adopted.

Rule 224, as amended, was added to the Rules.

Mr. SPEAKER.—Rules 225 to 231, both inclusive. The question is :

‘That Rules 225 to 231, both inclusive, stand part of the Rules.’

The motion was adopted.

Rules 225 to 231, both inclusive, were added to the Rules.

Mr. SPEAKER.—There is an amendment after rule 231.

Sri L. H. THIMMA BOVI.—Sir, I move :

That after rule 231 the following rule shall be added :

“231-A. Members who are not members of the Select Committee may be present during the deliberations of the Committee but shall not address the Committee or sit in the body of the Committee :

Provided that a Minister may with the permission of the Chairman, address the Committee of which he may not be a member”.

Mr. SPEAKER.—A m e n d m e n t moved :

‘That after rule 231 the following rule shall be added :

“231-A. Members who are not members of the Select Committee may be present during the deliberations of the Committee but shall not address the Committee nor sit in the body of the Committee :

Provided that a Minister may with the permission of the Chairman address the Committee of which he may not be a member”.

Sri L. H. THIMMA BOVI.—This is a new rule. There is a corresponding rule in the Lok Sabha. To enable the members who are not members of the Select Committee to attend the meetings this provision is suggested to be incorporated in our rules. With the permission of the Chairman a Minister may be invited to clarify the position.

Sri Kadidal MANJAPPA. I have no objection to accept the amendment.

Mr. SPEAKER.—The question is :

‘That after rule 231 the following rule shall be added :

“231-A. Members who are not members of the Select Committee may be present during the deliberations of the Committee but shall not address the Committee nor sit in the body of the Committee :

Provided that a Minister may with the permission of the Chairman address the Committee of which he may not be a member."

The motion was adopted.

Mr. SPEAKER.—The question is :
"That Rule 231-A stand part of the Rules."

The motion was adopted.

Rule 231-A was added to the Rules.
Mr. SPEAKER.—Rules 232 to 260, both inclusive. The question is :

"That rules 232 to 260, both inclusive, stand part of the Rules."

The motion was adopted.

Rules 232 to 260, both inclusive, were added to the Rules.

Mr. SPEAKER.—Rule 261. There is an amendment.

Sri L. H. THIMMA BOVI.—Sir, I move :

"That in sub-rule (1)

(i) after the words and figures 'sub-rule (2)' the word 'is' shall be added;

(ii) for the word 'Assembly' the words 'Legislature or either House' shall be substituted;

(iii) in sub-rule (2) for the word 'Assembly' in line 4, the word 'Legislature' and for the word 'Assembly' in the last line the words 'Legislature or either House thereof' shall be substituted."

Mr. SPEAKER.—The question is :

"That is sub-rule (1)

(i) after the words and figures 'sub-rule (2)' the word 'is' shall be added;

(ii) for the word 'Assembly' the words 'Legislature or either House' shall be substituted;

(iii) in sub-rule (2) for the word 'Assembly' in line 4, the word 'Legislature' and for the word 'Assembly' in the

last line the words 'Legislature or either House thereof' shall be substituted."

The motion was adopted.

Mr. SPEAKER.—The question is :

"That rule 261, as amended, stand part of the Rules."

The motion was adopted.

Rule 261, as amended, was added to Rules.

Mr. SPEAKER.—Rule 262. There is an amendment.

Sri L. H. THIMMA BOVI.—Sir, I move.

"That in sub-rules (1) and (2) for the word 'Assembly' wherever it occurs the word 'Legislature' shall be substituted!"

Mr. SPEAKER.—The amendment is,

"That in sub-rules (1) and (2) for the word 'Assembly' wherever it occurs the word 'Legislature' shall be substituted."

Sri Kad dal MANJAPPA.—I accept the amendment.

Mr. SPEAKER.—The question is :

"That in sub-rules (1) and (2) for the word 'Assembly' wherever it occurs the word 'Legislature' shall be substituted."

The motion was adopted.

Mr. SPEAKER.—The question is :

"That rule 262, as amended, stand part of the Rules."

The motion was adopted.

Rule 262, as amended, was added to the Rules.

Mr. SPEAKER.—Rules 263 to 330, both inclusive. The question is :

"That rules 263 to 330, both inclusive, stand part of the Rules."

The motion was adopted.

Rules 263 to 330, both inclusive, were added to the Rules.

Mr. SPEAKER.—Schedules I and II. The question is :

"That Schedules I and II stand part of the Rules."

The motion was adopted.

Schedules I and II were added to the Rules.

Mr. SPEAKER.—Rule 1 and the Title. The question is:

“That rule 1 and the Title stand part of the Rules.”

The motion was adopted.

Rule 1 and the Title were added to the Rules.

Motion to adopt.

Sri Kadidal MANJAPPA.—Sir, I move:

“That the Rules of Procedure and Conduct of Business in the Mysore Legislative Assembly, as reported by the Special Committee on the Rules of Procedure, and as amended be adopted.”

Mr. SPEAKER.—The question is:

“That the Rules of Procedure and Conduct of Business in the Mysore Legislative Assembly, as reported by the Special Committee on the Rules of Procedure, and as amended, be adopted.”

The motion was adopted.

Motion re: Rules coming into force.

Sri Kadidal MANJAPPA.—Sir, I move:

“That the rules shall come into force from the date of their publication in the official Gazette: Provided that—

(a) Questions of which notice has been already given by members shall not lapse by reason merely that a member has given notice of more than ten questions for the session.

(b) Resolutions of which notice has been given by a private member shall be deemed to be a resolution of which notice has been given under these rules notwithstanding that such notice relates to the entire session and not to a particular day allotted for such business and the ballotted list of such resolutions shall hold good for all days during

the current session allotted for the discussion of such resolutions.

(c) Committees in existence on the date these rules come into force shall continue to function as if constituted under these rules but their duration shall be the duration which they would have had if these rules had not come into force.

(d) All other items of business of which notice has been given and is pending on the day that these rules come into force shall be treated as if such notice had been given under these rules.

(e) The Speaker shall have power for the current session to make such modifications and adaptations in these rules as are necessary for any transitional difficulties that might arise in the application of these rules during the current session.

Explanation.—The expression ‘current session’ shall mean the session that has commenced on the 29th October 1958.”

Mr. SPEAKER.—The question is:

“That the rules shall come into force from the date of their publication in the official Gazette: Provided that—

(a) Questions of which notice has been already given by members shall not lapse by reason merely that a member has given notice of more than ten questions for the session.

(b) Resolutions of which notice has been given by a private member shall be deemed to be a resolution of which notice has been given under these rules notwithstanding that such notice relates to the entire session and not to a particular day allotted for such business and the ballotted list of such resolutions shall hold good for all days during the current session allotted

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for the discussion of such resolutions.

(c) Committees in existence on the date these rules come into force shall continue to function as if constituted under these rules but their duration shall be the duration which they would have had if these rules had not come into force.

(d) All other items of business of which notice has been given and is pending on the day that these rules come into force shall be treated as if such notice had been given under these rules.

(e) The Speaker shall have power for the current session to make such modifications and adaptations in these rules as are necessary for any transitional difficulties that might arise in the application of these rules during the current session.

Explanation — The expression 'current session' shall mean the session that has commenced on the 29th October 1958."

The motion was adopted.

NON-OFFICIAL RESOLUTIONS

No. 1.—Constitution of Permanent Commissions to scrutinise various Government Undertakings and Projects.

SRI G. VENKATAI GOWDA (Palaiyam).—Sir, I beg to move:

"That this Assembly is of the opinion that permanent commissions of enquiry and investigation consisting of the members of the Legislature and the public be constituted to watch, scrutinise and assess the working of various Government undertakings and projects."

MR. SPEAKER.—Resolution moved.

"That this Assembly is of the opinion that permanent commissions of enquiry and investigation consisting of the members of the

Legislature and the public be constituted to watch, scrutinise and assess the working of various Government undertakings and projects."

There is an amendment; it may also be moved.

SRI V. P. DEENADAYALU NAIDU (Cobbonpet).—Sir, I beg to move:

(i) Omit the word "permanent" in line (1).

(ii) In line 2 between the words "investigation" and "consisting" insert "as and when necessary."

MR. SPEAKER.—I would like to make a slight correction. I will read it with the correction:

(i) Omit the word "permanent" in line 1.

(ii) In line 3 after the word "constituted", insert the words "as and when necessary".

SRI G. VENKATAI GOWDA.—Mr. Speaker, Sir, I owe a debt of gratitude to you for letting me have in this House the privilege of moving the first non-official resolution today. A detailed thesis or an elaborate argument is not necessary. I believe that several members of both the Houses of this Legislature have often made relevant remarks either during the Budget or on the Motion of Thanks touching on the points that I am seeking to raise. First of all I will explain what is meant by various Government undertakings. We should not limit the meaning of this expression Government undertakings, only to mean those undertakings which yield an income or some profit to the Government. What I mean is that all those activities directed towards the establishment of a welfare state, all those activities that are directed for securing social and economic justice should come within the meaning of the words 'Government undertakings'. It should be borne in mind that the Government is not functioning simply for securing the maintenance of law and order or for the enforcement of contracts, i.e., the Government is not simply to hold the